

**805.8C Miscellaneous scheduled violations.**

1. *Energy emergency violations.* For violations of an executive order issued by the governor under the provisions of [section 473.8](#), the scheduled fine is fifty dollars.

2. *Alcoholic beverage violations.* For violations of [section 123.49, subsection 2](#), paragraph “h”, the scheduled fine for a licensee or permittee is one thousand five hundred dollars, and the scheduled fine for a person who is employed by a licensee or permittee is five hundred dollars.

3. *Smoking violations.*

a. For violations described in [section 142D.9, subsection 1](#), the scheduled fine is fifty dollars, and is a civil penalty, and the criminal penalty surcharge under [section 911.1](#) shall not be added to the penalty, and the court costs pursuant to [section 805.9, subsection 6](#), shall not be imposed. If the civil penalty assessed for a violation described in [section 142D.9, subsection 1](#), is not paid in a timely manner, a citation shall be issued for the violation in the manner provided in [section 804.1](#). However, a person under age eighteen shall not be detained in a secure facility for failure to pay the civil penalty. The complainant shall not be charged a filing fee.

b. For violations of [section 453A.2, subsection 1](#), by an employee of a retailer, the scheduled fine is as follows:

- (1) If the violation is a first offense, the scheduled fine is one hundred dollars.
- (2) If the violation is a second offense, the scheduled fine is two hundred fifty dollars.
- (3) If the violation is a third or subsequent offense, the scheduled fine is five hundred dollars.

c. For violations of [section 453A.2, subsection 2](#), the scheduled fine is as follows and is a civil penalty, and the criminal penalty surcharge under [section 911.1](#) shall not be added to the penalty, and the court costs pursuant to [section 805.9, subsection 6](#), shall not be imposed:

- (1) If the violation is a first offense, the scheduled fine is fifty dollars.
- (2) If the violation is a second offense, the scheduled fine is one hundred dollars.
- (3) If the violation is a third or subsequent offense, the scheduled fine is two hundred fifty dollars.

4. *Electrical and mechanical amusement device violations.*

a. For violations of legal age for operating an electrical and mechanical amusement device required to be registered as provided in [section 99B.10, subsection 1](#), paragraph “f”, pursuant to [section 99B.10C, subsection 1](#), the scheduled fine is two hundred fifty dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

b. For first offense violations concerning electrical and mechanical amusement devices as provided in [section 99B.10, subsection 3](#), the scheduled fine is two hundred fifty dollars.

5. *Gambling violations.*

a. For violations of legal age for gambling wagering under [section 99D.11, subsection 7](#), [section 99F.9, subsection 5](#), and [section 725.19, subsection 1](#), the scheduled fine is five hundred dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

b. For legal age violations for entering or attempting to enter a facility under [section 99F.9, subsection 6](#), the scheduled fine is five hundred dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

6. *Pseudoephedrine sales violations.* For violations of [section 126.23A, subsection 1](#), by an employee of a retailer, or for violations of [section 126.23A, subsection 2](#), paragraph “a”, by a purchaser, the scheduled fine is as follows:

- a. If the violation is a first offense, the scheduled fine is one hundred dollars.
- b. If the violation is a second offense, the scheduled fine is two hundred fifty dollars.
- c. If the violation is a third or subsequent offense, the scheduled fine is five hundred dollars.

7. *Alcoholic beverage violations by persons under legal age.* For first offense violations of [section 123.47, subsection 3](#), the scheduled fine is two hundred dollars.

2001 Acts, ch 137, §4; 2004 Acts, ch 1111, §5, 6; 2004 Acts, ch 1118, §7, 11; 2004 Acts, ch 1127, §4; 2004 Acts, ch 1136, §58; 2005 Acts, ch 15, §9, 14; 2005 Acts, ch 105, §2; 2005 Acts, ch 179, §140; 2007 Acts, ch 173, §9; 2008 Acts, ch 1084, §15; 2009 Acts, ch 88, §5

Referred to in [§99B.10](#), [99B.10C](#), [99D.11](#), [99F.9](#), [123.47](#), [123.50](#), [126.23A](#), [142D.9](#), [321.486](#), [453A.3](#), [473.8](#), [725.19](#), [803.3](#), [805.1](#), [805.6](#), [805.8](#), [805.8A](#), [805.11](#), [805.15](#)